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ation No.:

10/777,411

onfirmation No.:

4318

Filing Date:

February 12, 2004

First Named Inventor: Charles Gordon

Title:

JUN 0 2 2008

ARTIFICIAL SPINAL UNIT

ASSEMBLIES

Examiner:

A. M. Schillinger

Art Unit:

3738

Atty. Dkt. No.:

5943-00300/EBM



I hereby certify that this corresponde ice is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and said

TRANSMITTAL OF PETITION TO ADD TO ORIGINALLY NAMED INVENTORS OF NONPROVISIONAL PATENT APPLICATION UNDER 37 C.F.R. 1.48(a)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant encloses the following:

- (1) Petition and Fee to Add to Originally Named Inventors Pursuant to 37 C.F.R. 1.48(a) (3 pages);
- **(2)** Assignee Consent Under 37 C.F.R. §1.48(a)(5) (1 page), the referred to Assignment is recorded at reel 016732, frame 0318;
- (3) Inventor Statement Under 37 C.F.R. §1.48(a)(2) (1 page);
- (4) Application Data Sheet 37 CFR 1.76 (5 pages);
- (5) Originally executed Declaration of Charles R. Gordon (3 pages);
- Originally executed Declaration of Corey T. Harbold (3 pages); (6)
- (7) Originally executed Declaration of Heather S. Hanson (3 pages);

(8) Fee Authorization in the amount of \$130.00 to cover the fees as follows (2 pages):

\$130.00 -- Petition for Correction of Inventorship fee; and

(9) A return postcard.

If any fees are omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5943-00300/EBM.

Respectfully submitted

Eric B. Meyertons Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.

P.O. BOX 398

AUSTIN, TX 78767-0398

(512) 853-8800 (voice, (512) 853-8801 (facsimile)





Application No.:

10/777,411

Confirmation No.:

4318

Filing Date:

February 12, 2004

Inventors:

Gordon et al.

Title:

ARTIFICIAL SPINAL UNIT

ASSEMBLIES

Examiner:

Unknown

Art Unit:

3732

Atty. Dkt. No.:

5943-00300/EBM

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

101011

DATE OF DEPOSIT:

I hereby certify that this correspondence being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

Commissioner for Patents

action

AMENDMENT; PETITION AND FEE TO ADD TO ORIGINALLY NAMED INVENTORS PURSUANT TO 37 CFR §1.48(a)

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir/Madam:

Pursuant to 37 C.F.R. §1.48(a), please amend above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Remarks begin on page 3 of this paper.

06/02/2008 SSITHIB1 00000064 501505 10777411

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130.00 DA

Inventors: Gordon et al. Appl. Ser. No.: 10/777,411 Atty. Dckt. No.: 5943-00300

Amendment to the Specification

On page 1 (Title Page), please add beneath the list of inventors the following additional inventor:

Heather S. Hanson

Inventors: Gordon et al. Appl. Ser. No.: 10/777,411 Atty. Dckt. No.: 5943-00300

Remarks

This amendment and petition is to add to the originally named inventors under 37 CFR §1.48(a). Please add the following previously unnamed person as an inventor of this application: Heather S. Hanson.

Attached is:

- a) a statement from Heather S. Hanson that the error in inventorship occurred without deceptive intention on her part;
- b) a declaration by the actual inventors as required by 37 CFR §1.63;
- c) a fee authorization to cover the processing fee set forth in §1.17(i); and
- d) written consent of the assignee.

Should additional fees be required or if fees have been overpaid, please charge or refund the appropriate fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5943-00300/EBM.

Respectfully submitted,

Eric B. Meyertons Reg. No. 34,876

Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. P.O. Box 398

Austin, TX 78767-0398 (512) 853-8800 (voice)

(512) 853-8800 (voice) (512) 853-8801 (facsimile)

Date:



Application No.:

10/777,411

Confirmation No.:

4318

Filing Date: February 12, 2004

Inventors:

Gordon et al.

Title: ARTIFICIAL SPINAL UNIT

ASSEMBLIES

Examiner:

A.M. Schillinger

Art Unit:

3774

Atty. Dkt. No.:

5943-00300/EBM

CERTIFICATE OF MAILING UNDER 37 C.P.R. §1.8

DATE OF DEPOSIT:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

> Commissioner for Patents Alexandria VA 22313-1450

ASSIGNEE CONSENT UNDER 37 CFR §1.48(a)(5)

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Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir/Madam:

The undersigned, being Assignee of the entire interest of the above-identified application by virtue of a previously filed assignment, hereby consents to a correction of inventorship to include Heather S. Hanson as an actual inventor along with the original named inventors, Charles Gordon and Corey Harbold, in connection with the above-captioned Application.

Flexuspine, Inc.

By:

Title:

C E 0

Date:

May 21,2008



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Application No.:

10/777,411

Confirmation No.:

4318

Filing Date:

February 12, 2004

Inventors:

Gordon et al.

Title:

ARTIFICIAL SPINAL UNIT

ASSEMBLIES

Examiner:

Unknown

Art Unit:

3732

Atty. Dkt. No.:

5943-00300/EBM

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

DATE OF DEPOSIT:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

Commissioner for Patents

*MUL

INVENTOR STATEMENT UNDER 37 CFR §1.48(a)(2)

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir/Madam:

I, Heather S. Hanson, hereby declare that my omission as an inventor on the original declaration for the above-identified application occurred without deceptive intent on my part.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further these statements are made with knowledge that willful false statements are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: Feb. 24, 2006

Heather S. Hanson

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Application No.:

10/777,411

Confirmation No.:

4318

Filing Date:

February 12, 2004

Inventors:

Gordon et al.

Title:

ARTIFICIAL SPINAL UNIT

ASSEMBLIES

Examiner:

Unknown

Art Unit:

3732

Atty. Dkt. No.:

5943-00300/EBM

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

DATE OF DEPOSIT:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

Commissioner for Pate

July 1

FEE AUTHORIZATION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

The Commissioner is hereby authorized to charge the following fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5943-00300:

\$130.00 - processing fee under C.F.R §1.17(i) to add an inventor

The Commissioner is also authorized to charge any extension fee or other fees that may

be necessary to the same account number.

Respectfully submitted

Éric B. Meyertons Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.

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Date

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